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r/blankies • 6mo ago
AlexandraGeroi

Correcting the Record on Alice Sebold/Anthony Broadwater

I'm a big fan of the pod and was pretty upset by how Griffin, David, and Jia Tolentino described Alice Sebold's rape and the false imprisonment of Anthony Broadwater in the *We Need to Talk about Kevin* episode. I know this is pretty off-topic for the Reddit, but as an indigent defense lawyer, I wanted to correct the record and offer some links for those interested in learning more.

Around the 1:05 mark of this episode, Jia said there was something "truly malignant" about *The Lovely Bones*, and David chimed in to agree about the "surety" of that book. Griffin then summarizes what happened as follows: Alice Sebold "had to admit she had wrongfully accused a man of a heinous crime and sent him to jail for decades." David notes Sebold wrote a memoir about it, and says Sebold "pointed at a guy in a line up." Griffin adds that Sebold identified the man in the line up with "complete confidence."

That is a half-remembered, inaccurate summary. I was upset to hear them speak so flippantly about a man being wrongfully imprisoned, and Sebold being raped. I don't mind when the pod misses details when it comes to production or actor filmographies, but something this serious should be treated differently. Here's what actually happened, sourced from her memoir (now out-of-print), Syracuse.com reporting, and the AP.

- Sebold was brutally raped and beaten in 1981, when she was an 18 year old college student.
- 5 months later, Sebold sees a man walking around her college town and tells police she saw her rapist.
- Weeks later, police assemble a line up of black men, including Anthony Broadwater. Sebold did ***not*** identify Broadwater in the line up, she points to the man standing next to him.
- Despite Sebold not identifying Broadwater in the line-up, prosecutors decide to charge him anyway. In her book, Sebold writes that prosecutor Gail Uebelhoer told her that Broadwater and the man Sebold did identify were friends who used each other "in every lineup they do" to confuse victims. "They're dead ringers." Uebelhoer shuts down questions about this misidentification from the grand jury to secure an indictment.
- Sebold testified against Broadwater, identifying him on the stand. "Expert" witnesses also used now-debunked junk science to say hair left on Sebold was "consistent" with Broadwater's hair.
- Broadwater was convicted and served 16 years for a crime he didn't commit, and spent even more years as a registered sex offender. He was released and exonerated thanks to the tireless work of attorneys and advocates.
- Sebold wrote a not-particularly-good apology after Broadwater was exonerated.

Sebold was wrong to testify so confidently. She writes a lot in her memoir that she was motivated by trauma, vengeance, and hate. However, the police who arrested the wrong man, and prosecutors who charged and pressured Sebold to testify against the wrong man, deserve far more blame and vitriol. Those police and prosecutors never faced consequences; prosecutor Gail Uebelhoer went on to become a judge.

If you're interested in reading more about what happened, the Marshall Project collected some of the best reporting here. The Cut did a great analysis of Sebold's memoir and how readers should have see flaws the prosecution. More broadly, ProPublica has done some incredible reporting on junk science being used in criminal cases.

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374 · 71 · Share

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hannahridesbikes • 6mo ago
The fourth bulletpoint (about the "friend" in the lineup) seems odd to me - do police not choose all the people who are going to be in the lineup? Does the accused person get a say in it?
43 · Award · Share

AlexandraGeroi OP • 6mo ago • Edited 6mo ago
Broadwater's defense attorney (rightly) pointed out someone should be in the lineup who looked similar to Broadwater (similar build, etc.). This is to make the line up challenging - you don't want 4 people who don't match the description at all surrounding the suspect they want the accuser to pick. Prosecutors/cops didn't have to agree, but they did in this case.

The Syracuse article has more detail about this, and a photo of lineup itself. The two men had met, no indication they were friends or did this "all the time." There was no mugshot of Broadwater on file so I don't even think he'd been arrested or in a line up before.

My read is that the prosecutor wanted to move forward and knew she needed an ID, so she convinced Sebold Broadwater was trying to trick her. If you read the Cut article, you'll see that prosecutors and cops routinely told Sebold Broadwater was retaliating against her, going as far as to say he convinced a friend to rape her roommate as revenge.
45 · Award · Share

hannahridesbikes • 6mo ago
Yeah that tracks, it seems like the police were goading sebold into going after broadwater so they could get a conviction. The whole thing stinks.
20 · Award · Share

Accomplished-City484 • 6mo ago
Why though? Why not convict the guy she actually fingered?
4 · Award · Share

AlexandraGeroi OP • 6mo ago
There was no evidence the man she pointed to in the lineup was the rapist (in the same way there was no evidence it was Broadwater). Everyone in the line up was there solely based on their physical appearance (black men of a similar height and build). Your question gets at why Broadwater was so unlucky: the state could have arbitrarily picked anyone.
4 · Award · Share

Ok-Researcher3876 • 2mo ago

[deleted] • 6mo ago
Comment deleted by user
Reply · Share

AmputatorBot App • 6mo ago

exmallrat • 6mo ago

Keezin • 6mo ago • Edited 6mo ago
I come to the sub for listener corrections of confidently wrong on-air takes as much as for the other general meme bullshit. thanks for taking the time to write it up.

E: lest anyone think I'm, idk, insufferable or something for that, I just agree with the hosts that, as they've frequently said, their expertise is restricted to a narrow range of topics. This subreddit is helpful when folks like OP prevent me from getting the wrong idea about something brought up on the show that's only tangentially related to that area of expertise.
139 · Award · Share

aJakalope • 6mo ago
Agreed! It's my favorite podcast *because* it's unscripted and not overly reliant on structure. If someone recorded every conversation I had with friends, I'm sure I'd confidently relay incorrect information as fact all the time. Can't hold it against the hosts for not being perfect. But as such, it's nice to see the fanbase correct the record when they have a more nuanced understanding of something that was discussed.
18 · Award · Share

BumpinUggs • 6mo ago

klimly • 6mo ago
the boss isn't always right but he's always the boss
Thanks for what you do. I've got friends at TIDC.
36 · Award · Share

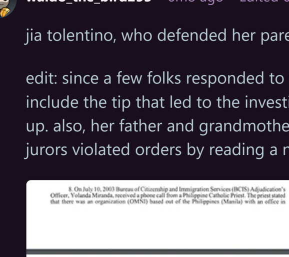
AlexandraGeroi OP • 6mo ago
That is god's work, and much harder than my job!
25 · Award · Share

Weltretter • 6mo ago
Thank you for making the effort to give this context. I doubt any of it will ever be addressed by the show, but it's good to at least have it here.
100 · Award · Share

RCocaineBurner • 6mo ago
Indigent defense lawyers are braver than the troops
24 · Award · Share

waldo_the_bird253 • 6mo ago • Edited 6mo ago
jia tolentino, who defended her parents' human trafficking, is mischaracterizing something? shocking.

edit: since a few folks responded to this doubting and claiming this is an ice set up like jia did, i just want to include the tip that led to the investigation. came from a priest in the philippines. lots of evidence to back this up. also, her father and grandmother pled guilty after a mistrial was declared during the original trial when two jurors violated orders by reading a news article about the case.



8. On July 10, 2003 Bureau of Citizenship and Immigration Services (BCIS) Adjudication's Officer, Yolanda Miranda, received a phone call from a Philippine Catholic Priest. The priest stated that there was an organization (OMNI) based out of the Philippines (Manila) with an office in

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Houston, Texas that charges $12,000.00 to bring teachers to work for the Socorro Independent School District (SISD) in El Paso, Texas. The last name of the man that runs the organization is Tolentino. According to the priest, these individuals have sold their homes, land, etc.... to pay this man to receive an approved Form I-129, Petition for a Nonimmigrant Worker and a Nonimmigrant Visa (NIV) from the U.S. Embassy in Manila, Philippines to come work in El Paso as teachers. However, according to the priest, once here in El Paso there is no contract to work with the SISD. These individuals are here without a job and unable to legally work elsewhere. The priest stated that there are approximately 40 individuals that are in this predicament and approximately 100 more soon to arrive at the end of July 2003. The agency supposedly told these individuals that if there are no jobs in El Paso, Texas that they would be sent elsewhere.

52 · Award · Share

desireeamc • 6mo ago
Wow. I had never heard of her or that case but what a rabbit hole you just sent me down.
13 · Award · Share

waldo_the_bird253 • 6mo ago
yeah fucking wild they had her on as guest huh?
7 · Award · Share

desireeamc • 6mo ago
Well according to the ONTD post on it from 2020 David was one of the people who tweeted support to Jia from her original tweet about it. Of course they are/were probably friends or acquaintances and her certainly wasn't the only one. But holy shit that's a fucked up story. And being half Filipino, it isn't even a new story, unfortunately shit like this happens a lot to Filipinos trying to make lives better for their families back home.
28 · Award · Share

waldo_the_bird253 • 6mo ago
oh damn I didn't know David defended her defense of human trafficking but that does track for a writer from the Atlantic.
11 · Award · Share

desireeamc • 6mo ago
I will say I cannot say what his tweet said since he no longer has Twitter and I'm not trying to shit on David. There was a long list of people to include E. Jean Carroll. So I think people just blindly tweeted support to someone they knew. I really don't know. But a pretty shitty situation regardless.
18 · Award · Share

envynav • 6mo ago
Even though he doesn't use it anymore, David's Twitter account is still up. He has tweeted at Jia before, but I don't see anything from him defending her
10 · Award · Share

waldo_the_bird253 • 6mo ago
looks like he deleted the tweet itself and it's not on the wayback machine. i can dm the link but it is also in this post: https://ohnotheydidnt.livejournal.com/118021561.html?

you ll find it once you uncollapse the section that starts with "a non-exhaustive list of semi famous people..."
17 · Award · Share

waldo_the_bird253 • 6mo ago
I'll give David some shit on this when we're a week out from the Epstein files release. I dunno just wild to have someone who defended human trafficking on the show in the midst of all this.
15 · Award · Share

sisterjune88 • 6mo ago
Don't they record these episodes months in advance?
3 · Award · Share

CarrieDurst • 6mo ago • Edited 6mo ago
This was the only one that was recorded nearly week of, they mentioned this year's Sundance
9 · Award · Share

sisterjune88 • 6mo ago
fair enough. though I would argue if its problematic to have her on for her parent's crimes of human trafficking that would be wrong at any time not just in the wake of these files. albeit the episode is recorded recently but how far in advance had they scheduled it. it would be far more contemptible in my mind if they knew her story (which it seems David does?) and were like "no biggie" and then decide to bump her from the schedule in the wake of the Epstein files...like if they see wrong with what her family did then she should never be asked on period and if they do not see wrong for whatever reason that is (I do not know the whole story bit it sounds bad and tbh I do not want to know more. I will sit here and hope that they have a less bleak view/more nuanced understanding of their guest's proximity to her family's crimes) then Epstein files or not then they wouldnt have reason to remove her from the schedule because she is not guilty of anything equivalent to his crimes. which...if it is indeed her parents who did wrong is she to be blamed as well? or is the problem that she defended them? I'm just glad I had never heard of this woman up until this episode because oof does that story sound /messy/.
0 · Award · Share

Either-Pie-4070 • 6mo ago
Remind me why we hate The Atlantic?
1 · Award · Share

waldo_the_bird253 • 6mo ago
many reasons but here's just one. that's the owner of the atlantic on the left.

5 · Award · Share

StevelsPosting • 6mo ago
It's a rare "I'm gonna skip this one" episode
14 · Award · Share

MidwestNerdWonk • 6mo ago
We Pod A Cast

DeusExHyena • 6mo ago
Very Central Park Five Linda Fairstein shit
8 · Award · Share

AlexandraGeroi OP • 6mo ago
Googled to see what she's up to and she SUED Netflix and Duvernay for her portrayal in When They See Us... (case settled with $0 to her or her lawyers)
7 · Award · Share

DeusExHyena • 6mo ago
She also lost her Lil true crime novel career

I'm surprised she isn't working for Bondi
4 · Award · Share

actualscientist • 6mo ago
Maybe I'm stupid, but I fail to see how this is significantly different. So instead of dooming an innocent man in the lineup, she allowed them to prosecute the wrong person and then doomed him on the stand instead? It almost sounds worse
34 · Award · Share

AlexandraGeroi OP • 6mo ago
You're not stupid, but I think it's important to have a different perspective. Rape victims do not make arrests, do not prosecute the accused, and do not decide the sentence. Police and prosecutors make those choices. Judges make the choice to allow junk science "experts" to testify. Even if Alice Sebold was confident and wanted Broadwater to rot in jail from Day 1, the cops, prosecutors, and judges could have stopped it. As a young white virgin, Alice Sebold obviously had some power over the accused black man. But I think it's important to focus on who had most of the power: the state.
78 · Award · Share

CarrieDurst • 6mo ago
I think it is fair to say the police and Alice were both complicit in racism that put an innocent man of color in jail and ruin his life. That does not undo any of the horrible thing that happened to her neither does it minimize the evil done to him as well.
44 · Award · Share

AlexandraGeroi OP • 6mo ago • Edited 6mo ago
Yeah, I think that's fair. There are plenty of people who wouldn't testify under pressure, and she chose to do it. I also think her apology/statements about it, especially considering how much time had passed, didn't really grapple with this. But I felt the need to make this post because it's an ongoing structural issue within the criminal legal system, and the criticism/solutions need to reflect that. (There's a larger conversion to be had about the "victim's rights" movement we don't need to get into here).

CarrieDurst • 6mo ago
Yeah it is a thorny situation and her apology felt too passive and CYA but also what wouldn't feel empty? So many conflicting thoughts to be honest

AlexandraGeroi OP • 6mo ago
Yeah this is why I actually found the discussion towards the end of the episode about true crime/what Griffin likes about Ramsey's films very interesting! No one really knows how they'd handle being culpable for someone else's death, or raising school shooter, etc.

CarrieDurst • 6mo ago
Yup, just like the people criticizing the guest when right now. Today a local subreddit has a post right now mocking my parent and he did nothing illegal (or political), I still get loving your parents even when you don't like what they do as it is hard to know how one would handle in any situation. Random point but it made me think of that post on the front page today as well

Individual-Lynx-377 • 5mo ago

Thimblespinner • 6mo ago
Think about how you might feel towards the author Alice Sebold depending on whether you heard statement A or statement B.

A.) 'Sebold falsely accused an innocent man of rape' leading to his imprisonment for 'decades'

B.) a teenaged Sebold was the victim of a brutally violent rape by a stranger, in the aftermath of which she misidentified a man she saw on the street as her attacker. This led to the wrongful prosecution and 16 year imprisonment of an innocent man, whose conviction was only overturned 40 years after the original attack took place.

Statement A is what you heard in the episode, to the best of my recall; statement B is a more nuanced and balanced description of the events involved, as far as I understand 'em.

From statement A, a listener might reasonably infer that Sebold had knowingly falsely accused A N. Other man of rape out of the blue, perhaps maliciously, leading to his wrongful conviction and imprisonment.

Which wouldn't be a fair representation of what happened.

Yes, there was a massive and damning miscarriage of justice back there. Is it fair to represent a traumatised teenage rape victim as being culpable for that, rather than, y'know, systemic institutional racism, and other failures on the part of the justice system? I don't think so.

[deleted] • 6mo ago
Comment deleted by user

Thimblespinner • 6mo ago
Some culpability for what, though? Failing to identify a miscarriage of justice?

Why on earth should a crime victim, writing a personal memoir about how said crime had impacted upon and shaped their life, be expected to analyse and investigate the legitimacy of any criminal proceedings that subsequently occurred? That's surely not their job.

Being raped doesn't automatically render someone a legal expert.

It's not unreasonable for a crime victim to expect that all parts of a justice system have done their jobs scrupulously and thoroughly when prosecuting their case, and that, consequently, the verdict was a reliable one.

I haven't read Lucky, the memoir in question, though I understand that the man prosecuted and jailed for Sebold's rape is referred to throughout the text by an alternative name; and that since the overturning of Broadwater's conviction, the book has been withdrawn from sale. I don't know how much of the book is devoted to the legal processes and the trial, as opposed to how the attack affected her mental health, ability to study, write, form relationships, walk anywhere alone at night, &c.

But I find it pretty weird that anyone would declare a rape victim memoirist 'culpable' of a legal system's failure to deliver justice.

shiongenkai • 2mo ago

[deleted] • 6mo ago
Comment deleted by user

AlexandraGeroi OP • 6mo ago
100% agree! Sebold bears a share of personal culpability, and I think even her apology (22 years after the memoir was published, which was 18 years after the rape itself) doesn't really grapple with it.

And thank you for sharing these links, the Guardian one in particular is very good.

Fit-Theory-1004 • 6mo ago

Algernon-Hitchhiker_ • 6mo ago
Thank you for doing this. I used Anthony Broadwater as the basis for a fictional character in a play I wrote, so I was a bit surprised to hear the situation framed the way it was. I really love the podcast and the two friends but I feel this was ultimately a failure of the system, with responsibility extending beyond any one person.

proxy_chef • 5mo ago

treesofthemind • 4mo ago

bookedbae93 • 5mo ago

MFDoooooooooooom • 6mo ago

OrganicHedgehog8483 • 5mo ago

various_convo7 • 2mo ago

[deleted] • 16d ago

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